

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,) 3:17-CR-010-MMD-(WGC)
9 Plaintiff,)
10 v.) Preliminary Order of Forfeiture
11 CANDALARIO LOZANO-RODRIGUEZ,)
12 aka Candelario Rodriguez-Villegas,)
13 aka Candalario Lozano Rodriguez,)
Defendant.)

14 This Court finds that defendant CANDALARIO LOZANO-RODRIGUEZ, aka
15 Candelario Rodriguez-Villegas, aka Candalario Lozano Rodriguez, pled guilty to Count One of a
16 One-Count Indictment charging him with Alien in Possession of a Firearm in violation of Title
17 18, United States Code, Section 922(g)(5)(A). Indictment, ECF No. 1; Change of Plea, ECF No.
18 16; Plea Agreement, ECF No. 17.

19 This Court finds defendant CANDALARIO LOZANO-RODRIGUEZ, aka Candelario
20 Rodriguez-Villegas, aka Candalario Lozano Rodriguez, agreed to the forfeiture of the property
21 set forth in the Plea Agreement and the Forfeiture Allegation of the Indictment. Indictment, ECF
22 No. 1; Change of Plea, ECF No. 16; Plea Agreement, ECF No. 17.

23 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
24 America has shown the requisite nexus between property set forth in the Plea Agreement and the
25 Forfeiture Allegation of the Indictment and the offense to which defendant CANDALARIO

26 ///

1 LOZANO-RODRIGUEZ, aka Candelario Rodriguez-Villegas, aka Candalario Lozano
2 Rodriguez, pled guilty.

3 The following property is subject to forfeiture pursuant to Title 18, United States Code,
4 Section 924(d)(1) with Title 28, United States Code, Section 2461(c):

- 5 1. H. Koon Inc., model Snake Charmer, .410-gauge shotgun bearing serial
6 number 31639 and
- 7 2. any and all ammunition
8 (all of which constitutes property).

9 This Court finds the United States of America is now entitled to, and should, reduce the
10 aforementioned property to the possession of the United States of America.

11 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
12 the United States of America should seize the aforementioned property.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
14 of CANDALARIO LOZANO-RODRIGUEZ, aka Candelario Rodriguez-Villegas, aka
15 Candalario Lozano Rodriguez, in the aforementioned property is forfeited and is vested in the
16 United States of America and shall be safely held by the United States of America until further
17 order of the Court.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
19 America shall publish for at least thirty (30) consecutive days on the official internet government
20 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
21 property, state the time under the applicable statute when a petition contesting the forfeiture must
22 be filed, and state the name and contact information for the government attorney to be served
23 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
24 Section 853(n)(2).

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
26 entity who claims an interest in the aforementioned property must file a petition for a hearing to

1 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
2 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
3 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
4 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
5 facts supporting the petitioner's petition and the relief sought.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
7 filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building,
8 400 South Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the
9 notice is sent or, if direct notice was not sent, no later than sixty (60) days after the first day of
10 the publication on the official internet government forfeiture site, www.forfeiture.gov.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
12 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
13 the following address at the time of filing:

14 Greg Addington
15 Assistant United States Attorney
16 100 West Liberty Street, Suite 600
Reno, NV 89501

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
18 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
19 agency following publication of notice of seizure and intent to administratively forfeit the above-
20 described property.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
22 of this Order to all counsel of record.

23 DATED this 17th day of May, 2017.

24
25
26 

UNITED STATES DISTRICT JUDGE